

REMARKS

The Examiner is thanked for his kind allowance of claims 14-24. Applicant appreciate the Examiner's indication that Claims 4, 6-12, 33-36, 40, and 43 are allowable over the prior art if rewritten in independent form including all of the limitations of the base claim and any intervening claims. However, for the present, Applicant respectfully declines the opportunity to rewrite these claims in independent form but reserves the right to do so at a future time.

New claims 45-48 have been added to particularly point out and distinctly claim subject matter regarded as the invention. New claims are supported in the Specification beginning on page 20, line 22 through page 22, line 26. The specification has been amended to correct minor typing errors that are of a clerical nature and to claim priority to co-pending application serial number 09/613,439. Thus, no new matter has been added.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned "**Version with Markings to Show Changes Made**".

The 35 U.S.C. § 102 Rejection

Claims 1-3, 5, 13, 25-32, 37-39, 42, and 44 stand rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by Cragg et al.¹ This rejection is respectfully traversed.

The specification has been amended to claim priority to Cragg et al. and to co-pending application serial no. 09/613,439, filed on July 11, 2000, which is a divisional of Cragg et al. Therefore the present invention is not anticipated by Cragg et al. under 35 U.S.C. § 102(b). Thus, it is respectfully requested that this rejection be withdrawn.

In view of the foregoing, it is respectfully asserted that the claims are now in condition for allowance.

Dependent Claims

The argument set forth above is equally applicable here. The base claims being allowable, the dependent claims must also be allowable.

In view of the foregoing, it is respectfully asserted that the claims are now in condition for allowance.

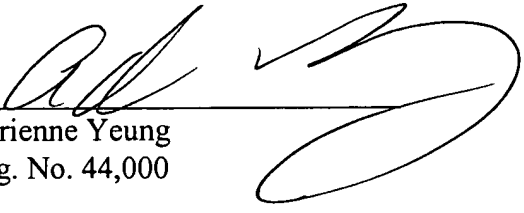
Request for Allowance

It is believed that this Amendment places the above-identified patent application into condition for allowance. Early favorable consideration of this Amendment is earnestly solicited.

If, in the opinion of the Examiner, an interview would expedite the prosecution of this application, the Examiner is invited to call the undersigned attorney at the number indicated below.

Respectfully submitted,
THELEN REID & PRIEST LLP

April 2,
Dated: ~~March 31~~, 2003


Adrienne Yeung
Reg. No. 44,000

THELEN REID & PRIEST LLP
P.O. Box 640640
San Jose, CA 95164-0640
(408) 292-5800

¹ USP 6,162,192.

Version with Markings to Show Changes Made**In the Specification:**

Paragraph beginning on page 9, line 4 was amended as follows:

Figure 1a illustrates a puncture control tip 10 in accordance with a first embodiment of the present invention. The puncture control tip 10 includes a tubular, hollow puncture control tip shaft 14, which [function] functions as a flash tube, as described in greater detail below. The shaft 14 includes a lumen 34 (see Figure 1c, for example) which extends longitudinally between proximal and distal ends. For reasons which will be readily appreciated by one of ordinary skill in the art, lumen 34 can optionally be coated or otherwise provided with an interior surface which inhibits blood coagulation. By way of example and not of limitation, the lumen 34 can be coated with material including heparin (e.g. heparinized), tPa, or other functionally similar materials or compounds which inhibit or prevent blood from clotting or otherwise coagulating in the lumen 34.

The paragraph beginning on page 11, line 1 was amended as follows:

Preferably, the control tip is formed of a flexible, biocompatible material, such as thermoplastic. [by] By way of example and not of limitation, the material out of which the control tip is formed has a Shore hardness between about 90A-82D, preferably between about 98A-74D, more preferably about 64D.

The paragraph beginning on page 13, line 1 was amended as follows:

Marker 36 is preferably attached to control tip 12, or less preferably, positioned on the control tip [5] 12 so that it is difficult to slide them longitudinally relative to each other. The distal end 42 is spaced from the elongated central portion 22 of the control head by a distance X, described in greater detail below. Optionally, the control tip and the marker can be interconnected using a releasable proximal connection, e.g. a Touhy-Borst connector (for which the marker would include cross-drilled holes or the like for blood flash), ultrasonic welding, [glueing] gluing, etc.